

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 2/20/08

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LERROY DORSEY,

Plaintiff,

-v-

N.Y.S. OFFICE OF MENTAL HEALTH; JOHN
DOE, EMPLOYEE, STAFF CHIEF, SING SING
CORR.; JANE DOE, EMPLOYEE,
RECEPTIONIST, SECRETARY, SING SING
CORR.,

Defendants.

07 Civ. 11312 (DLC)

ORDER

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DENISE COTE, District Judge:

The Court issued a scheduling order in this action on January 25, 2008, requiring plaintiff Leroy Dorsey to serve the New York State Office of Mental Health ("OMH") and the New York State Department of Correctional Services ("DOCS") with the summons and complaint by February 22, 2008. On February 15, 2008, the Pro Se Office informed the Court that Dorsey had served OMH and DOCS by mail, but did not use the United States Marshals Service, as he is entitled to do pursuant to his in forma pauperis status. See 28 U.S.C. § 566. It is therefore unclear whether OMH and DOCS have been served with the summons and complaint. Accordingly, it is hereby

ORDERED that the Pro Se Office shall provide Dorsey with a mailing package including instructions how to effect service on the defendants by use of the United States Marshals Service.

IT IS FURTHER ORDERED that plaintiff shall serve the New York State Office of Mental Health and the New York State Department of Correctional Services, with the summons and complaint, through the United States Marshals Service, no later than March 28, 2008.

IT IS FURTHER ORDERED that the Office of Mental Health and the Department of Correctional Services shall ascertain the identity of the defendants whom plaintiff seeks to sue here and, if they can be identified, the Office of Mental Health and the Department of Correctional Services shall ascertain the address where the defendants may be served. The Office of Mental Health and the Department of Correctional Services shall report to the plaintiff and the Court on whether the defendants can be identified and, if so, where they may be served by no later than thirty days from receipt of the summons and complaint.


IT IS FURTHER ORDERED that upon receiving information regarding the identities and addresses of the defendants, the plaintiff shall file an amended complaint naming the defendants by May 30, 2008. The plaintiff shall serve the summons and amended complaint on the defendants by July 25, 2008.

IT IS FURTHER ORDERED that should the plaintiff require further assistance, he shall direct such inquiries to the Pro Se Clerk's Office at 500 Pearl Street, Room 230, New York, NY

10007.

SO ORDERED:

Dated: New York, New York
February 20, 2008



DENISE COTE
United States District Judge

Copy sent to:

Leroy Dorsey
No. 97-A-3442
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788